

APPEAL NO. 030135
FILED MARCH 4, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on December 13, 2002. The hearing officer determined that the compensable injury sustained by the respondent (claimant) on _____, includes paracentral discal substance herniations at C3-4 and C5-6, as well as degenerative changes revealed on the MRI of August 15, 2002. The appellant (self-insured) appeals this decision. The appeal file contains no response from the claimant.

DECISION

Affirmed.

Whether the compensable injury includes the conditions alleged by the claimant was a factual question for the hearing officer to resolve. Conflicting evidence was presented at the hearing on the disputed issues in this case. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. Nothing in our review of the record indicates that the hearing officer's decision is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The self-insured argues that expert medical evidence was required to connect the compensable injury to the alleged conditions. Generally corroboration of an injury is not required and may be found based upon a claimant's testimony alone. Gee v. Liberty Mutual Fire Insurance Co., 765 S.W.2d 394 (Tex. 1989). While lay testimony is sufficient to establish causation where, based upon common knowledge, a fact finder could understand a causal connection between the employment and the injury, expert testimony may be required where such common knowledge does not exist. Texas Workers' Compensation Commission Appeal No. 941464, decided January 9, 1995. In the present case, we believe that the hearing officer could understand the causal connection based upon common knowledge. We also note that the claimant submitted medical evidence linking the compensable injury to the alleged conditions.

The hearing officer's decision and order is affirmed.

The true corporate name of insurance carrier **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**SUPERINTENDENT OF SCHOOLS
(ADDRESS)
(CITY) TEXAS (ZIP CODE).**

Chris Cowan
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Roy L. Warren
Appeals Judge